

**MICHIGAN DEPARTMENT OF COMMUNITY HEALTH
NURSING HOME (NH) STANDARD ADVISORY COMMITTEE (SAC) MEETING**

Thursday, November 8, 2007

Capitol View Building
201 Townsend Street
MDCH Conference Center
Lansing, Michigan 48913

APPROVED MINUTES

I. Call To Order

Chairperson Chalgian called the meeting to order at 9:05 a.m.

A. Members Present:

Diane H. Baker, Blue Cross Blue Shield of Michigan
Renee Beniak, Michigan County Medical Care Facilities Council
James P. Bowe, Michigan Association of Homes & Services for the Aging
James Branscum, Vice-Chairperson, Health Care Association of Michigan
Bart J. Carrel, Borgess Health
Douglas Chalgian, Chairperson, Alzheimer's Association
Thomas E. Czerwinski, Area Agencies on Aging Association of Michigan
Marge Faville, SEIU (Arrived @ 9:27 a.m.)
Alison E. Hirschel, Michigan Poverty Law Program
Priscilla Mazurek, RN, University of Michigan Health System (Arrived @ 9:17 a.m.)
Susan C. Steinke, Michigan Quality Community Care Council

B. Members Absent:

Sarah Slocum, Michigan Long Term Care Ombudsman

C. Michigan Department of Community Health Staff Present:

Umbrin Ateequi
Larry Horvath
John Hubinger
Joette Laseur
Irma Lopez
Nick Lyon
Andrea Moore
Stan Nash
Brenda Rogers
Taleitha Pytlowanyj

II. Declaration of Conflicts of Interests

Mr. Bowe stated that his facility has recently submitted a CON application for a replacement facility.

Mr. Carrel stated that his facility has also recently submitted a CON application for a replacement facility.

III. Review of Agenda

Motion by Mr. Bowe, seconded by Ms. Hirschel, to accept the agenda as presented. Motion Carried.

IV. Review of Minutes – October 18, 2007

Motion by Mr. Czerwinski, seconded by Mr. Bowe, to approve the minutes as presented. Motion Carried.

V. Bed Need Methodology

Ms. Moore gave a brief report on the recommendations by the task group. Ms. Moore stated the task group reviewed the recommendations regarding a modification to the bed need methodology to encompass out-of-county placement made in the August 20, 2007 letter from Senator Mark Schauer. After evaluating the recommendations in the letter, the task group felt there should be no changes made to the methodology. Ms. Steinke stated that the bed need methodology only takes into account nursing home utilization and one of the things the Committee requested the task group to look at was what is overall long-term care need and would that impact on bed need. Discussion followed.

Motion by Ms. Steinke, seconded by Ms. Hirschel, to adopt the changes proposed by the task group, with the exception to add back in the language regarding the Commission.

Vice-Chairperson Branscum asked for clarification on whether or not their charge requires them to determine if home or community based waivers will be affected. Discussion followed.

Steinke/Hirschel Motion. Motion Failed, 3-7.

Motion by Mr. Bowe, seconded by Ms. Beniak, to accept the recommendations of the task group regarding Sections 4 and 5 of the draft language.

Ms. Mazurek requested clarification in regards to whether or not the bed need methodology would impact the special need beds. Discussion followed.

Bowe/Beniak Motion. Motion Carried, 6-5.

Ms. Moore stated the task group recommends there should be a relocation provision for providers. Ms. Mazurek stated there is a conflict regarding not being able to require Nursing Homes to participate in Medicaid and Medicare. Discussion followed.

Motion by Vice-Chairperson Branscum, seconded by Mr. Bowe, to accept the proposed language by the task group as shown in sections 2(1)(dd) and 7 of the draft Standards, and include language in Section 7 that relocation of beds cannot occur more than once every 7 years. Motion Carried.

VI. Addendum for Special Population Group Beds

Ms. Moore reviewed the recommendations by the task group. Discussion followed.

Motion by Ms. Mazurek, seconded by Vice-Chairperson Branscum, to remove religious beds from the special population pool of beds. Motion Carried.

Motion by Mr. Bowe, seconded by Ms. Mazurek, to create a new high occupancy provision for rural populations and remove that group of beds from the special populations. Motion Carried.

Ms. Moore stated the task group recommends removing the Alzheimer's group and replace it with a behavioral group. Ms. Hirschel stated she would like more specific language in regards to the training of staff of behavioral patients. Discussion followed.

Ms. Steinke raised the concern regarding Medicaid/Medicare again. She recommended not taking action on project delivery requirements until next meeting. Discussion followed.

Motion by Mr. Bowe, seconded by Ms. Mazurek, to remove the Alzheimer group from special population groups, add a behavioral group, add more language regarding the training of staff of behavioral patients for the next meeting, and change "exhibits" in the definition of "behavioral patient" to reflect chronic or acute "severe behavior management...."

Ms. Faville asked for clarification in regards to how the current specialty beds would be affected. She also asked for clarification if the intent is to make access available to specialized cases by changing the name and adding the definition of behavioral patients.

Bowe/Mazurek Motion. Motion Carried.

Break from 10:35 a.m. to 11:00 a.m.

Ms. Moore stated the task group has recommendations in regards to ventilator dependent patients. Discussion followed.

Motion by Vice-Chairperson Branscum, seconded by Mr. Czerwinski, to approve the proposed language regarding ventilator dependent patients. Motion Carried.

Ms. Moore stated the recommendations proposed by the task group regarding hospice.

Motion by Vice-Chairperson Branscum, seconded by Ms. Steinke, to approve the task group's recommendations regarding hospice. Motion Carried.

Ms. Moore stated that the final recommendations regarding TBI and SCI patients which were found in the draft language under Section 4. Discussion followed.

Motion by Vice-Chairperson Branscum, seconded by Ms. Steinke, to accept the task group's recommendations regarding TBI and SCI patients. Motion Carried.

VII. Review and Finalize

Ms. Hirschel requested that the Committee re-address Section 7 regarding relocation. Discussion followed.

Motion by Ms. Faville, seconded by Vice-Chairperson Branscum, to have the Department work on language regarding beds being vacant at the time of transfer. Motion Carried.

A. Quality Measures

Public Comment

Tom Rau, Nexcare (Attachment A)
Laura Hamman, Lakeview Nursing Facility
Muhammad Qazi, Ciena Healthcare
David Stobb, Ciena Healthcare
Pat Anderson, HCAM

Chairperson Chalgian raised concern regarding out-of-state and in-state providers.
Discussion followed.

Motion by Ms. Steinke, seconded by Mr. Bowe, to have the quality measures task group revisit facilities taking over other facilities, look at out-of-state vs. in-state providers, and review F-tags and M-tags.

Motion Carried.

Public Comment

David Herbel, MAHSA
Phyllis Adams, Dykema

Ms. Moore requested that the Committee consider the Department's recommendation of utilizing the Bureau of Health Systems listing of nursing homes that identifies chain ownership.

Motion by Chairperson Chalgian, seconded by Mr. Czerwinski, to accept the Department's recommendation of utilizing the Bureau of Health Systems list of nursing homes under common ownership and include posting it onto the CON website. Motion Carried.

XII. Future Meeting Dates:

November 28

XIII. Adjournment

Motion by Vice-Chairperson Branscum, seconded by Chairperson Chalgian, to adjourn the meeting at 1:00 p.m. Motion Carried.